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Attorneys for Plaintiff  
PHILIP SMITH

**UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

PHILIP SMITH, an individual,  
Plaintiff,

v.

RYAN COMPTON, an individual;  
NOEL ANDREWS, an individual;  
MONA VOGEL, an individual; and  
DOES 1-10, inclusive,  
Defendants.

Case No.: 2:22-cv-08439-MWF-PLA

**PLAINTIFF'S OBJECTIONS TO  
EVIDENCE SUBMITTED BY  
DEFENDANT NOEL ANDREWS IN  
SUPPORT OF MOTION TO STRIKE  
(ANTI-SLAPP)**

Hearing Date: January 23, 2023  
Time: 10:00 AM  
Courtroom: 5A

Plaintiff PHILIP SMITH hereby objects to the following evidence presented by Defendant NOEL ANDREWS in connection with her "SPECIAL MOTION TO STRIKE PURSUANT TO FED. R. CIV. P. 12(b)(6) AND CCP § 425.16" set for hearing on January 23, 2023, before this Court:

1. DECLARATION OF CHARLES G. SMITH ("C. Smith Declaration"), paragraph 3, page 2:8-12. Plaintiff objects on the grounds the proffered evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE 801), and its probative value is

1 substantially outweighed by a danger of confusing the issues, undue delay and/or  
2 wasting time (FRE 403).

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4 2. C. Smith Declaration, paragraph 4 in its entirety. Plaintiff objects on the  
5 grounds the proffered evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE  
6 801), and its probative value is substantially outweighed by a danger of confusing the  
7 issues, undue delay and/or wasting time (FRE 403).

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9 3. C. Smith Declaration, paragraph 5 in its entirety. Plaintiff objects on the  
10 grounds the proffered evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE  
11 801), and its probative value is substantially outweighed by a danger of confusing the  
12 issues, undue delay and/or wasting time (FRE 403).

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14 4. C. Smith Declaration, paragraph 6 in its entirety. Plaintiff objects on the  
15 grounds the proffered evidence purports to summarize the contents of documents (FRE  
16 1002).

17  
18 5. C. Smith Declaration, paragraph 7 in its entirety. Plaintiff objects on the  
19 grounds the proffered evidence purports to summarize the contents of documents (FRE  
20 1002).

21  
22 6. C. Smith Declaration, paragraph 8 in its entirety. Plaintiff objects on the  
23 grounds the proffered evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE  
24 801), and its probative value is substantially outweighed by a danger of confusing the  
25 issues, undue delay and/or wasting time (FRE 403).

1 7. C. Smith Declaration, paragraph 9 in its entirety. Plaintiff objects on the  
2 grounds the proffered evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE  
3 801), and its probative value is substantially outweighed by a danger of confusing the  
4 issues, undue delay and/or wasting time (FRE 403).

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6 8. C. Smith Declaration, Exhibit B. Plaintiff objects on the grounds the proffered  
7 evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE 801), and its probative  
8 value is substantially outweighed by a danger of confusing the issues, undue delay  
9 and/or wasting time (FRE 403).

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11 9. C. Smith Declaration, Exhibit C. Plaintiff objects on the grounds the proffered  
12 evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE 801), and its probative  
13 value is substantially outweighed by a danger of confusing the issues, undue delay  
14 and/or wasting time (FRE 403).

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16 10. C. Smith Declaration, Exhibit D. Plaintiff objects on the grounds the proffered  
17 evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE 801), and its probative  
18 value is substantially outweighed by a danger of confusing the issues, undue delay  
19 and/or wasting time (FRE 403).

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21 11. C. Smith Declaration, Exhibit E. Plaintiff objects on the grounds the proffered  
22 evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE 801), and its probative  
23 value is substantially outweighed by a danger of confusing the issues, undue delay  
24 and/or wasting time (FRE 403).

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26 12. C. Smith Declaration, Exhibit F. Plaintiff objects on the grounds the proffered  
27 evidence is irrelevant (FRE 401), is inadmissible hearsay (FRE 801), and its probative  
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1 value is substantially outweighed by a danger of confusing the issues, undue delay  
2 and/or wasting time (FRE 403).

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4 13. C. Smith Declaration, Exhibit G, at page 36:8 – 37:10. Plaintiff objects on the  
5 grounds the proffered evidence, testimony elicited from Plaintiff, lacks foundation and  
6 is speculative (FRE 602), and is inadmissible hearsay (FRE 801).

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9 Plaintiff will respectfully request the Court at the hearing on the motion to  
10 sustain the above objections and to strike the evidence referred to above.

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12 Dated: January 4, 2023

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15 DANIEL A. CRAWFORD,  
16 Attorney for Plaintiff,  
17 PHILIP SMITH  
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